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6 Attorneys for Plaintiff

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 SAN FRANCISCO DIVISION

10 UNITED STATES OF AMERICA,	)	No. CR 08-0237 MHP
11 Plaintiff,	)	
12 v.	)	STIPULATION AND <del>PROPOSED</del>
13 BECKY CHRISTIAN,	)	ORDER VACATING TRIAL DATE AND
14 Defendant.	)	EXCLUDING TIME
15	)	

16 The above-captioned case is set for trial on August 5, 2008. With the agreement of the  
17 parties, and with the consent of the defendant, the Court enters this order (1) vacating the trial  
18 date of August 5, 2008; (2) vacating the pretrial conference date; (3) setting a date of July 24,  
19 2008, at 10:00 a.m. for further proceedings; and (4) documenting the exclusion of time under the  
20 Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv), from July 15, 2008, to July 24, 2008.

21 The parties agree, and the Court finds and holds, as follows:

22 1. On June 16, 2008, the parties appeared before this Court for a hearing on the  
23 defendant Christian's motion to sever. The Court granted the defendant's motion at that time and  
24 set a trial date of August 5, 2008 and a pretrial conference date of July 24, 2008, at 2:30 p.m.

25 The Court later entered an Order documenting the exclusion of time with respect to the defendant  
26 Christian from April 29, 2008, to June 23, 2008.

27 2. Since the parties' last appearance, the parties have engaged in plea discussions.  
28 The parties jointly seek to have the Court vacate the trial date of August 5, 2008, and request to

1 appear before the Court on July 24, 2008, at 10:00 a.m.

2 3. The government has recently produced several hundred pages of discovery to the  
3 defendant, as well as additional electronic discovery. The defense wishes to review this  
4 discovery before July 24, 2008. Continuing the case until July 24, 2008, will give the defendant  
5 the opportunity to accomplish this objective.

6 4. In light of the facts set out above and in light of the need for effective preparation  
7 of defense counsel, the Court finds that, taking into the account the public interest in the prompt  
8 disposition of criminal cases, granting the continuance until July 24, 2008, is necessary for  
9 effective preparation of defense counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). Given these  
10 circumstances, the Court finds that the ends of justice served by excluding the period from July  
11 15, 2008, to July 24, 2008, outweigh the best interest of the public and the defendant in a speedy  
12 trial. Id. § 3161(h)(8)(A).

13 5. Accordingly, and with the consent of the defendant Becky Christian, IT IS  
14 HEREBY ORDERED that (1) the trial date of August 5, 2008 is vacated; (2) the pretrial  
15 conference date is vacated; (3) the parties should appear before the Court on July 24, 2008, at  
16 10:00 a.m.; and (4) the period from July 15, 2008, to July 24, 2008, be excluded from Speedy  
17 Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv) and 18 U.S.C. § 3161(h)(1)(F).  
18 SO STIPULATED.

19 DATED: July 15, 2008

BRIAN J. STRETCH  
Acting United States Attorney

21 /s/  
22 KYLE F. WALDINGER  
Assistant United States Attorney

23 SO STIPULATED.

24 DATED: July 15, 2008

25 /s/  
STEVEN BAUER  
JOHN F. WALSH  
Attorney for the defendant Becky Christian

26 IT IS SO ORDERED.

27 DATED: July 17, 2008

28 MARILYN HALL P.  
United States District Judge

